

## **CHAPTER 2: EXISTING CONDITIONS**

### **The East Acton Village (EAV) Planning Area**

The East Acton Village Planning Committee (EAVPC) focused primarily on the East Acton Village (EAV) zoning district, but also took into consideration and studied the East Acton Village planning area (EAV planning area). Map 1 shows the location of the EAV Zoning District and the EAV planning area.

The EAV Zoning District is located along both sides of Great Road (Route 2A/119) from the Concord town line to just beyond Concord Road. It is just over one half mile long and comprises about 26 acres. The EAV Zoning District does not include any apartment or condominium complexes. The apartments and condominiums in the area are zoned Residence A (R-A), but were still reviewed and considered as part of the planning process. Most zoning changes recommended later in this plan are for just the EAV Zoning District.

The EAV planning area includes the EAV Zoning District and surrounding neighborhoods. Its boundaries are Route 2 to the south, Hosmer Street to the west, Strawberry Hill Road to the north, and the Concord town line to the east. The area contains approximately 1,200 acres or 1.875 square miles.

### **Topography and Soils**

The EAV planning area consists of rolling hills with lower areas near Nashoba Brook. The United States Geological Survey (USGS) map on page \_\_\_\_ shows the general contours and some existing structures in the EAV planning area.

Soils in the EAV planning area vary greatly. In East Acton Village, the primary soils are Merrimac-Urban Land Complex, Windsor Loamy Sand, and Charlton-Hollis-Rock Outcrop Complex (see Map 3). For an explanation of these soils, see the Middlesex County Massachusetts Interim Soil Survey Report in Appendix \_\_\_\_.

### **Groundwater**

Acton residents rely on ground water for their drinking water. In order to protect Acton's drinking water supply, the Town has established through the Zoning Bylaw the Groundwater Protection District overlay. The Groundwater Protection District is divided into four zones, based on their proximity to present and future drinking water supply wells. Zone 1 is closest to the wells and most restrictive. Zone 4 is the furthest away from the wells and least restrictive. East Acton Village is located mainly in Groundwater Protection District Zone 3. The north end of the village (tax map G4, parcels 50, 28-1, and 28) is located in Groundwater Protection District Zone 4. Certain uses and activities are prohibited in Groundwater Protection District Zone 3 (in addition to the land uses prohibited in the Table of Principal Uses of the Zoning Bylaw) such as solid waste

disposal sites; underground storage of hazardous materials; chemical, bacteriological, biological, or radiological laboratories; and some subsurface disposal of wastewater effluent. For a list of the other prohibited uses and activities, please see Acton Zoning Bylaw Table 4.3.7.2.

## **Surface Water**

Nashoba Brook runs along the southwest side of Great Road through EAV. Ice House Pond is also located in the EAV planning area at the intersection of Concord and Great Roads. Map 1 on page 34 shows Nashoba Brook and Ice House Pond. Nashoba Brook and Ice House Pond provide recreational opportunities for people and habitat for wildlife, but also limit what owners can do with their property. For more information on Nashoba Brook and Ice House Pond, please refer to Goal 1 of Chapter 6: Environment, Open Space and Recreation.

## **Drainage and Stormwater Runoff**

Map 4 shows all the drainage basins in the EAV planning area. “NB” on the map stands for Nashoba Brook. All of the drainage basins in the EAV planning area except for two ultimately drain into Nashoba Brook. NB-4E and NB-4F basins drain into Spencer Brook in Concord. East Acton Village (EAV) Zoning District is primarily located in the NB-1A drainage basin. Only two properties in EAV Zoning District (tax map G4, parcels 28 and 28-1 – in the northeast corner of the village) are located in a different basin: NB-1B. Some areas of East Acton Village occasionally have problems with stormwater runoff. There have been reports of water pooling and high water levels, especially in the spring.

## **Wetlands and Floodplain**

Significant portions of village properties on the southwest side of Great Road are within the boundaries of delineated wetlands and floodplain along Nashoba Brook. There are also significant wetlands behind structures that line Esterbrook Road and some large areas along Pope Road. In East Acton Village, the wetlands buffer area, based on the Town of Acton Wetlands Bylaw, in some instances extends as far as Great Road (see Map 5).

## **Vernal Pools**

According to the Massachusetts Division of Fisheries and Wildlife, Natural Heritage & Endangered Species Program website, “vernal pools are unique wildlife habitats best known for the amphibians and invertebrate animals that use them to breed...The Natural Heritage & Endangered Species Program “certifies” the occurrence of vernal pools based on documentation of the pool’s use by one or more groups of species that rely on vernal pools...Official certification provides a vernal pool, and up to 100 feet

beyond its boundary in some cases, certain protection under several state and federal laws.”<sup>1</sup>

There is one certified vernal pool within the EAV planning area. It is located on the Wetherbee Conservation Land (see “Conservation Land” below). For more information regarding this vernal pool or others in Acton, contact the Acton Natural Resources Department.

## **Wildlife**

The Ice House Pond basin is a corridor for white-tailed deer, coyote, red fox and fisher. More permanent residents include Canada geese, wood ducks, mallards, muskrat and beaver. River otters, opossum, turkeys, minks, and several species of turtle, snake, frog, and fish also live in and around the pond. Over one hundred bird species have been seen from the Concord Road dam in the spring. South of Ice House Pond, toward Route 2, nesting bluebirds can be found in the appropriate season.

## **Endangered species**

There are no known State-listed endangered species in the EAV planning area. A State-listed threatened species has been identified in the EAV planning area on the Wetherbee Conservation Land (see “Conservation Land” below): the Vesper sparrow. In addition, two or three breeding pairs of Savannah sparrows, which are unusual to see, have been observed on the Wetherbee Conservation Land for at least the last ten years. Savannah sparrows are not listed as endangered or threatened by the State, but their numbers have been dwindling over the last several years. For more information about these species, contact the Acton Natural Resources Department.

## **Scenic Roads**

According to the Bylaws of the Town of Acton, Chapter J – Scenic Road Bylaw , the following roads in the EAV planning area have been designated by the Town of Acton as “Scenic Roads”:

- Concord Road
- Esterbrook Road
- Pope Road
- Proctor Street
- Spring Hill Road (only partially located in the EAV planning area)
- Strawberry Hill Road

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<sup>1</sup> Massachusetts Division of Fisheries & Wildlife, “Vernal Pools,” 11/15/02, <<http://www.state.ma.us/dfwele/dfw/nhesp/nhvernal.htm>>, (16 December 2003)

Any proposed work to be done to or along a Scenic Road that involves the cutting or removal of trees, or the destruction of stone walls, or portions thereof, would first need written approval from the Planning Board (after a public hearing).

### **Chapter 61, 61A, and 61B Lands**

There are three land classification/tax programs in Massachusetts that involve the preservation and enhancement of certain lands: Massachusetts General Laws 61, 61A, and 61B. Chapter 61 encourages the preservation and enhancement of forest land. Chapter 61A encourages the preservation of valuable farmland and promotes active agricultural and horticultural land use. Chapter 61B encourages the preservation of valuable open space and promotes recreational land uses. These three programs offer tax benefits to property owners willing to make a long term commitment in one of these areas. In exchange for these benefits, the Town is given the right to recover some of the tax benefits when the land is removed from the program, and is given an option to purchase the property should the land be sold or used for other purposes. There are certain criteria that must be met and adhered to in order to qualify for each program.

There is one property in Chapter 61A and four properties in Chapter 61 in the EAV planning area. The Chapter 61A property is located at 145 Strawberry Hill Road near the Concord town line (tax map F5, parcel 12-6). The four properties in Chapter 61 are: 82 Strawberry Hill Road (tax map E5, parcel 15-1), between 54 and 68 Esterbrook Road (tax map F5, parcel 10-1), behind 35 Wetherbee Street (tax map G4, parcel 174), and 35 Wetherbee Street (tax map G4, parcel 189).

For more information about these programs or classifications, please contact the Acton Assessor's Office.

### **Conservation land**

There are two pieces of Town conservation land within the EAV planning area: the Wetherbee Conservation Land and the Stoneymeade Conservation Land. The Wetherbee Conservation Land is 72 acres in size and is located on the northwest corner of Wetherbee Street and Route 2. The property includes active farm land, a small meadow, marshy habitat, a little stream, a collection-pool, and woods. The Stoneymeade Conservation Land encompasses 44.5 acres of fields, small streams, and woods. It is located off Stoneymeade Way which is off of Pope Road. The land is home to many species of birds and borders conservation land in the town of Concord.

For more information about these and other Acton conservation lands, please go to the Acton Conservation Commission's Land Stewardship Committee website "[www.town.acton.ma.us/LSCOM](http://www.town.acton.ma.us/LSCOM)" or contact the Acton Natural Resources Department.

## **Zoning and Land Uses**

The EAV Zoning District, like other Acton village zoning districts, encourages a mix of residential and non-residential land uses. Map 1 shows the location of the EAV Zoning District and surrounding zoning districts. Different types of smaller scale residential uses are encouraged in the village zoning district. Businesses that promote face to face interaction between the customer and the business, and businesses that discourage automobile use, are also desirable. The Zoning Bylaw also limits business sizes in the village. These help facilitate walking, reduce reliance on driving and traffic, and allow more businesses in the village.

East Acton Village currently has several restaurants (take out and sit down), offices (insurance, realty, etc.), service businesses (salon, landscape contractor, medical/dental, electronics, home improvement, etc.), automobile businesses (gasoline, repair, detailing, car wash), arts and recreation places, and a variety of retail outlets (clothing, convenience goods, liquor, furniture, appliances, etc.). For a list of all uses in EAV and the surrounding area, please refer to the “East Acton Village Area Commercial Buildout” chart in Appendix \_\_\_\_.

## **Buildout**

In 2001/2002, the Acton Planning Department completed a buildout analysis of the EAV Zoning District (the village) and the surrounding zoning districts: SM (Small Manufacturing), LB (Limited Business), ARC (Agriculture, Recreation, Conservation), RA (Residence A), R2 (Residence 2), R8/4 (Residence 8/4), and R8 (Residence 8). The buildout analysis looked at the developable site area and existing floor areas of structures to determine the existing floor area ratio for each property. The EAV Zoning District currently has a maximum allowable floor area ratio (FAR) of 0.2 (up to 0.4 FAR if the transfer of development rights program (TDR) is utilized). Determining the FAR of each property and the area as a whole indicates how much more development can occur under current zoning. There are other limitations to buildout such as parking regulations, health requirements, federal, state, and local wetlands and rivers laws, the market, etc., that affect the development potential of property. Additionally, development is up to individual property owners. For these reasons, the maximum allowable FAR under the Zoning Bylaw may not be achieved. However, it is important to analyze the maximum development potential for planning purposes.

Based on the buildout analysis, as of November 2001, the EAV Zoning District was approximately 80% built out. Under current zoning, an additional 58,000 square feet of floor area could be built in the EAV Zoning District. The LB and SM zoning districts in the EAV area have very little opportunity for further development based on current zoning. Only about a maximum of 12,000 square feet of floor area remains to be built in the LB zoning district and 6,100 square feet maximum in the SM zoning district. As for residential zoning districts surrounding EAV, the R8/4 zoning district can accommodate the most additional housing under current zoning: approximately 30 residential units.

For more detailed information about buildout in the EAV Zoning District and surrounding area, please see the “East Acton Village Area Commercial Buildout” chart and the “East Acton Village Area Residential Buildout chart” and associated notes located in Appendix

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